

Congress of the United States
House of Representatives
Washington, DC 20515

March 23, 2023

The Honorable Lloyd J. Austin III
Secretary of Defense
1000 Defense Pentagon,
Washington, DC 20301-1000

Secretary Austin:

We are in receipt of a response from the Air Force regarding our letter of February 13, 2023 regarding the improper release of servicemember records.

This response is late, threadbare, and unresponsive. It omits obviously pertinent information about the nature of the requests that lead to the improper releases of servicemember records to Due Diligence Group (DDG).

Our inquiry was inclusive of servicemember records released to DDG, regardless of service. Secretary Kendall replied only on behalf of the Air Force. We have yet to hear from any other service regarding this matter.

Please provide to the Committees the following no later than March 31st, 2023:

- 1) A list of all servicemember records **from any service**, excluding the content of such records, of individuals who were candidates for Congress or elected to Congress from January 1, 2021 to January 3, 2023 that were improperly released to DDG without a servicemember's prior consent;
- 2) If a service believes that no records were improperly released to DDG, a certification to that effect signed by the relevant service secretary;
- 3) The specific sequence of events by which each identified improper release to DDG occurred, identifying information presented in the request for each such release, and the specific individuals involved in submitting and approving each such release;
- 4) A list of servicemembers or civilians involved in improperly releasing records to DDG who received any adverse administrative or punitive action or outcome as a result of their involvement and the specific adverse administrative or punitive action or outcome for each such individual and their rank or grade; and
- 5) The nature and disposition of any law enforcement investigation or any criminal referral of DDG for potential violations of law.

This issue is of paramount importance to our committees and the Department's unwillingness to produce meaningful information in a timely manner is deeply concerning.

Your prompt response is appreciated.

Sincerely,



Hon. Mike D. Rogers
Chairman
Committee on Armed Services



Hon. James Comer
Chairman
Committee on Oversight and Accountability